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HC

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/105,299 06/26/98 ELLIS

D SWA-04

EXAMINER

LM01/0403

HARDAWAY LAW FIRM  
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GREENVILLE SC 29603-0107

MIZRAHI, D

ART UNIT

PAPER NUMBER

2771

DATE MAILED:

04/03/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/105,299

Applicant  
Darln Ellis et al.

Examiner  
Diane Mizrahi

Group Art Unit  
2771



☒ Responsive to communication(s) filed on Jun 26, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-18 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-18 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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**III. DETAILED ACTION**

1. Claims 1-18 are presented for examination.
2. The information disclosure statements filed on 06/26/98 complies with the provisions of MPEP § 609. It has been placed in the application file, and the information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthew Morgentern (5,970,490) in view of Herman Mitchell et al. (5,497,491 and Mitchell hereinafter).
5. Regarding Claims 1 and 18 Morgenstern teaches a system and associated method for transforming and exchanging data between heterogeneous computer systems using different formats for storing similar information (col 4, line 63 to col 5, line 1-4) (i.e. supporting direct transformations in the absence of

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semantic models), comprising of means for transforming and processing import data into generic format data according to predetermined import (i.e. source and target) (col 7, lines 24-39) information rules and function (Figure 2); and an interface to communications means for receiving import data and for transmitting export database data (col 7, lines 24-39).

Morgenstern does not expressly teach data store data.

Mitchell teaches data store data (i.e. metadata) (Figure 2 and col 5, lines 41-52).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Morgenstern with the teachings of Mitchell to include data store data with the motivation to provide environment attributes which facilitate import and export (Mitchell, Col 2, lines 25-48).

6. Regarding Claim 2, Morgenstern teaches logical import and export data interfaces (col 7, lines 17-31 and Figure 2); a script processor (i.e. browser) for controlling data transformation withing the interface and movement of data into and out of the distribution system (col 8, lines 58-67 to col 9, lines 1-3); a rule set processor responsive to script processor

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for manipulating a data bag for stored imported data and data bag (i.e. data storage) for storing export data (col 9, lines 1-3).

Morgenstern does not expressly teach a meta database.

Mitchell teaches meta database (Figure 2).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Morgenstern with the teachings of Mitchell to include meta database with the motivation to provide environment attributes which facilitate import and export (Mitchell, Col 2, lines 25-48).

7. Regarding Claim 14, Morgenstern teaches loading data... sorting... merging... appending... copying... joining... formatting... and saving for the purposes of transforming data (col 7, lines 40-49).

Morgenstern does not expressly teach using defined rule set.

Mitchell teaches rule set (i.e. metadata) (col 11, lines 25-67 to col 12, lines 1-3).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Morgenstern with the teachings of Mitchell to include rule set with the motivation to provide and add to

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program complexity, cost and increases the possibility of errors (Mitchell, Col 1, lines 50-62).

8. Regarding Claim 3, the limitations of this claim has been noted in the rejection of claims 1,2,14 and 18 above. In addition, Morgenstern teaches a configuration management user interface (i.e. by the information bridge and information mediator) (col 5, lines 18-67).

9. Regarding Claims 4-13, and 15-17, the limitations of these claims have been noted in the rejection of claims 1,2, 14 and 18 above. They are therefore rejected as set forth.

**Joint Inventors**

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

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**Other Prior Art Made of Record**

11. A. Anderson et al. (5,799,310) discloses a simple relational database extenders for handling complex data types;

B. Kacyra et al. (5,257,366) discloses an integrated systems for quickly and accurately imaging and modeling three dimensional objects; and

C. Sharif-Askary (5,729,733) discloses a method of operating a distributed database based on object ownership and transaction classification utilizing an aggressive reverse one phase commit protocol.

**Conclusion**

12. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

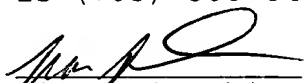
**Points of Contact**

13. Any inquiry concerning this communications from the examiner should be directed to Diane Mizrahi whose telephone number is (703) 305-3806. The examiner can normally be reached on Monday to Thursday from 7:30 AM. to 5:00 PM.


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14.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-9707. The fax phone number for this group is (703) 308-5403.

  
Diane Mizrahi  
Patent Examiner

March 29, 2000

  
HOSAIN T. ALAM  
PRIMARY EXAMINER